

MINUTES

of an **Ordinary Council Meeting** held in the Council Chambers, Municipal Head Office, Swakopmund on **Wednesday, 29 April 2015** at **19:05**.

PRESENT:

Councillor J Kambueshe	:	Mayor (Chairperson of Council)
Councillor A N Bessinger	:	Deputy Mayor
Alderwoman R //Hoabes	:	Chairperson of Management Committee
Councillor R N Andreas-Noabes	:	Alternate Chairperson of MC
Councillor N N Salomon	:	Member of Management Committee
Alderman E //Khoaseb	:	Member of Council
Councillor U Kaapehi	:	Member of Council
Councillor P V Steinkopff	:	Member of Council
Councillor F Hamukwaya	:	Member of Council

OFFICIALS:

Mr E U W Demasius	:	Chief Executive Officer
Mr M N Ipinge	:	GM: Community Development Services
Mr M P C Swarts	:	GM: Corporate Services & HR
Mr D Duvenhage	:	GM: Engineering Services
Mr H !Naruseb	:	GM: Finance
Ms L Mutenda	:	Acting GM: Health Services
Mr A Plaatjie	:	Manager: Corporate Services
Ms M Bahr	:	Manager: Human Resources Services
Mr C McClune	:	Manager: Projects
Ms A Gebhardt	:	Corporate Officer: Marketing & Communication
Mr U Tjiurutue	:	Corporate Officer: Administration
Ms A Kahuika	:	Administrative Officer: Admin

ALSO PRESENT:

Also present were Fourty Seven (47) members of the public and two (2) staff members receiving long service and retirement awards.

1. OPENING

Pastor Van Niekerk opened the meeting with a prayer and scripture reading.

2. **APPLICATIONS FOR LEAVE OF ABSENCE AND DECLARATION OF INTEREST**

- 2.1 Application for leave of absence
Councillor L M Tlhabanello - Approved
- 2.1 Declaration of interest - None
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3. **CONFIRMATION OF MINUTES**
(C/M 2015/04/29 - A 2/3/5)

3.1 **MINUTES OF AN ORDINARY COUNCIL MEETING HELD ON 26 MARCH 2015**

On proposal of Councillor R N Andreas-Noabes seconded by Alderwoman R //Hoabes it was:-

RESOLVED:

That the minutes of the Ordinary Council Meeting held on 26 March 2015, be confirmed as correct.

4. **INTERVIEWS WITH DEPUTATIONS OR PERSONS SUMMONED OR REQUESTED TO ATTEND THE MEETING**

None.

5. **OFFICIAL ANNOUNCEMENTS, STATEMENTS AND COMMUNICATIONS**

5.1 **ANNOUNCEMENTS BY HIS WORSHIP THE MAYOR AND CHAIRPERSON OF COUNCIL**

(C/M 2015/04/29 - A 2/3/5)

His Worship the Mayor welcomed everybody to the meeting and delivered his monthly announcements.

5.2 **LONG SERVICE AWARDS**

(C/M 2015/04/29 - B 1/8)

Reinhard Kubirske	-	30 Years
Sakkie N Kanandjembo	-	Retirement

PETITIONS

None.

7. **MOTIONS OF MEMBERS**

None.

8. **ANSWERS TO QUESTIONS FROM MEMBERS OF WHICH NOTICE HAS BEEN GIVEN**

None.

9. **FEEDBACK REPORT ON THE EXECUTION OF RESOLUTIONS
TAKEN BY COUNCIL IN MARCH 2015**

- 9.1 The feedback on the resolutions taken by Council on 26 March 2015 was noted.

10. **REPORT TO COUNCIL ON RESOLUTIONS TAKEN BY
MANAGEMENT COMMITTEE DURING APRIL 2015**

- 10.1 **MINUTES OF MANAGEMENT COMMITTEE MEETINGS HELD
DURING APRIL 2015**
(C/M 2015/04/29 - A 2/3/5)

RESOLVED:

That the resolutions taken at an Ordinary Management Committee Meeting held on 16 April 2015 and the Special Management Committee meetings held on 08 April 2015 and 20 March 2015 be noted.

11. **RECOMMENDATIONS BY THE MANAGEMENT COMMITTEE**

- 11.1 **ORDINARY MANAGEMENT COMMITTEE MEETING HELD ON
16 APRIL 2015 AND THE SPECIAL MANAGEMENT COMMITTEE
MEETING HELD ON 08 AND 22 APRIL 2015**

- 11.1.1 **MESSRS WOERMANN BROCK PROPERTIES (PTY) LTD: FOLLOW-
UP REGARDING THE REQUEST TO PURCHASE A BIGGER
PORTION OF STREET**
(C/M 2015/04/29 - E 2759)

RESOLVED:

- (a) That Council remains with its decision of 26 February 2015 under item 11.1.24 and that the applicant be informed accordingly.
- (b) That it be recorded that Councillor P V Steinkopff is not in support of resolution.

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- 11.1.2 **LIGHTHOUSE PROPERTY INVESTMENT TRUST: CHANGE OF
TRUSTEES**

(C/M 2015/04/29 - E 4747, E 5372)

RESOLVED:

- (a) That the change in trustees for the Trustees for the time being of the Lighthouse Property Investment Trust and that the definition of the parties be amended accordingly, be noted.
 - (b) That the Trustees for the time being of the Lighthouse Property Investment Trust be reminded to comply with clause 13.9 of the Memorandum of Agreement whenever any changes are considered.
 - (c) That the new trustees must replace the signatories as sureties for the performance by the purchaser in terms of clause 14.
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11.1.3 **MHI SERVICES DELIVERY - COST COMPARISON BLOCKS 12-13
VERSUS 4-6 - MATUTURA (FORMERLY DRC)**

(C/M 2015/04/29 - H 5/5, H 5/8)

RESOLVED:

That the total cost of N\$94 813 507.09 for Tender T57/2014 be noted.

11.1.4 **MESSRS ROSSMUND GOLF COURSE CC: REQUEST FOR
EXTENSION OF TIME FOR THE INSTALLATION OF ELECTRICAL
SERVICES ON ERF 177, ROSSMUND**

(C/M 2015/04/29 - N 7/3/4/1)

RESOLVED:

- (a) That points (a) and (c) of Council's Resolution of 26 September 2013, item 11.1.2 be repealed and replaced with the following wording listed as (i) until (iii) for point (a):

(a) That Messrs Rossmund Golf Course be granted an extension of time i.e. until 16 February 2015 to complete the installation of internal services for erven created from the subdivision of Erf 177, Rossmund.

- (i) That Messrs Rossmund Golf Course CC be granted an extension of time until 31 August 2015 to complete the installation of electrical services at own risk on Erf 177, Rossmund.*
- (ii) That Council extends the exemption period of paying site value rates until 31 August 2015 in respect of sellable land of erven created from the subdivision of Erf 177, Rossmund.*
- (iii) That should the installation of services in (i) above not been completed by Monday, 31 August 2015 no further extension be considered and Council will start levying site value charges back dated from 16 February 2015.*

(c) That Council proceeds with the transfer of Erf 177, Rossmund in the name of Messrs Rossmund Golf Course CC; and the purchase price be calculated based on the layout plan approved by Council on 31 May 2012.

- (i) That the purchase price of the sellable land be calculated once the general plan is approved by the Surveyor-General.*

- (b) That Council takes note of the gazetted Notice No. 34 of 27 February 2015 for the extension of the boundaries of Rossmund and the incorporation Erf 177, Rossmund.
- (c) That Messrs Conradie and Damaseb be instructed to amend the addendum to the agreement with reference to point (a) above and the addendum must be signed on / before 31 August 2015.

11.1.5 **6th PROGRESS REPORT OF MESSRS SEA GULL'S CRY CC**
(C/M 2015/04/29 - N 7/2/9)

RESOLVED:

- (a) That Council takes note of the 6th progress report for the period ending December 2014 submitted by Messrs Sea Gull's Cry CC.
- (b) That Messrs Sea Gull's Cry submits the 7th progress report for the period ending 1 January 2015 to 30 June 2015 by 31 July 2015.
- (c) That Council grants an extension of the due date for completion of the project equivalent to the time taken by the Ministry of Environment and Tourism to issue an Environmental Clearance Certificate since the date the application was submitted 30 June 2014.
- (d) That an addendum to the lease agreement be signed to incorporate the above mentioned changes.
- (e) That the lease period of Messrs Sea Gull's Cry CC not be extended due to the delay in point (c) above.

11.1.6 **01- LIGHT INDUSTRIAL INCUBATION AREA : RENEWAL OF LEASE AGREEMENTS FOR SITE A,C, D AND K**
(C/M 2015/04/29 - H 5, G 4/1/3)

RESOLVED:

- (a) That Council takes note that the lease agreements entered into by Council and the following lessees expires on 31 May 2015:
 - Mr W Onesmus - Area "A"
 - Mr G #Kari-Hab - Area "C"
 - Mr G Guidao-Oab - Area "D"
 - Mr J Moller - Area "K"
- (b) That Council repealed its decision of 26 June 2014, under item 11.1.5 and replaced it with the following:

That Council repeals the reference in its decision taken on 27 March 2014, item 11.1.6 to terminate the leases of Mr G Guidao-Oab and Mr G #Khari/Khab and that their leases terminate on 31 May 2015

- (c) That the lease agreements with Mr W Onesmus, Mr G #Khari-Hab, Mr G Guidao-Oab and Mr J Moller be renewed for 12 months from 01 June 2015 until 31 May 2016 to continue leasing the sites in (a) at the Light Industrial incubation Area subject to the conditions of lease stipulated in the Property Policy.
 - (d) That Council reserves an Erf in Extension 10 for SMEs brick making projects and other noxious business.
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11.1.7 **SAAMSTAAN JUKSKEI CLUB SWAKOPMUND: RENEWAL OF LEASE CONTRACT**

(C/M 2015/04/29 - N 7/4/3)

RESOLVED:

- (a) That the application of Messrs Saamstaan Jukskei Club Swakopmund to lease a portion of the Public Open Space, known as the Jukskei Park, measuring 1 755m² which is partly situated on Erf 89 and adjacent to Scultetus Street, Vineta; be supported.
- (b) That the annual rental tariff be approved at N\$1 425.50 + 15% VAT, being N\$ 213.82 = N\$1 639.32 with a 10% escalation on 01 July 2015 and every consecutive year.
- (c) That the lease agreement be subject to the existing and amended conditions as stipulated below and any further conditions that Council may require:

Following are the conditions for the lease agreement:

1. **Lease Period**

The lease shall commence on 1 March 2015 irrespective of date of signing the lease agreement and shall run for the period of 4 years and 11 months, with an option to renew.

2. **Payments**

2.1 N\$1 425.50 + 15% VAT, being N\$ 213.82 = N\$1 639.32 with a 10% escalation on 01 July 2015 and every consecutive year.

2.3 The rental amount as quoted must be payable per annum in advance on or before the 7th day of each month to the Municipality free of bank commission.

2.4 A refundable deposit equal to a year's rental is payable in advance.

3. **Use of the Property and Responsibilities**

3.1 The LESSEE shall comply with all conditions laid down by the GM: Health in terms of the Health Regulations of the LESSOR and all other applicable municipal regulations.

3.2 The PROPERTY shall not be used for any other purpose than for the purpose of playing and promoting jukskei and related activities on the PROPERTY.

3.3 The LESSEE is responsible at all times to keep the area in a neat and tidy condition.

3.4 Council shall remain responsible for the maintenance of the lawn area.

3.5 The LESSEE must ensure that no structures, whether permanent or temporary, other than those indicated on the aerial photo (Annexure "C"), shall be erected on the allocated area.

3.6 The LESSEE shall remove all approved structures should the courts no longer be in use and restore the area to its original condition.

4. **Right of Access**

The Municipality shall at all times have the right of access to the HIRED PROPERTY being leased for the purpose of carrying out inspections in order to ensure that all applicable regulations and requirements are being complied with by the LESSEE.

5. **Prohibition against Sub Letting**

The LESSEE shall not cede or assign this agreement or any portion of the portion of the HIRED PROPERTY OR THE PORTION THEREOF.

6. **Indemnity**

The LESSEE shall keep the LESSOR indemnified during the lease period of this lease agreement against any possible claims which may arise from the use of the PROPERTY by the LESSEE and if required to do so by the Municipality, shall furnish the Municipality with an acceptable all-risk indemnity policy.

7. **Breach of Conditions**

If the LESSEE breaches any conditions of the agreement, the lease may be cancelled at the entire discretion of the Municipality by giving thirty (30) days' notice in writing to the LESSEE, and the LESSEE shall restore the HIRED PROPERTY to a proper condition at his own cost and to the satisfaction of the Municipality within the sixty (60) days from date of such notification. Whether the lease is terminated by way of expiration or by breach of contract, the LESSEE shall for its own account restore the PROPERTY to its original condition and to the satisfaction of the Municipality.

8. **Termination**

8.1 *This lease agreement is terminable at any time by either party giving or receiving three (3) months' notice in writing.*

8.2 *In the event of termination of this agreement, the LESSEE shall have no claim for compensation in respect of any improvements effected on the property, provided that the LESSEE may remove any such improvements from the property within 60 days from date of termination, failing which all such improvements shall become the property of the LESSOR, provided further that the LESSEE shall be responsible for all costs incurred by the LESSOR or loss sustained by it as a result of any negligence on the part of the LESSEE so to remove any improvement or to restore the property to its proper condition.*

- (d) That the intended lease be advertised in terms of the Local Authorities Act, Act 23 of 1992, as amended.
- (e) That it also be noted that no complaints from the public have been received to date.

11.1.8 **02 - LIGHT INDUSTRIAL INCUBATION AREA: RE-ALLOCATION OF SITE B AND J**
(C/M 2015/04/29 - H 5)

RESOLVED:

- (a) That the cancellation of the lease of Site "B" to Mr Raymond Valentine and Site "J" to Mr F van Wyk at the Light Industrial Incubation Area, be noted.
- (b) That Council approves to lease Site "B and J" at the Light Industrial Incubation Area each measuring 1 000m² at N\$368.00 (320.00x N\$0.32 m² + 15% VAT) per month to:
 - *Messrs V. P Brick Works and Messrs CCC.R Project Welfare Organization respectively for the purpose of making bricks; and*
 - *That the lease period of 5 years be changed to a period of (one) 1 year and the lease be reviewed after one (1) year to determine whether the lessees are fully operational.*
- (c) That should the applicants in (b) decline the offer, the sites be offered to the next applicants listed.
- (d) That the lease of the above mentioned sites be subject to the conditions of lease as stipulated in the Property Policy and any further conditions that Council will deem fit.
- (e) That Mr J Hamutenya of Site "I" be given an extension of time until 30 April 2015 to commence with operation on the property, failing which the lease agreement will be terminated.

11.1.9 **MASTER WAITING LIST FOR THE MASS HOUSING DEVELOPMENT PROGRAMME**

(C/M 2015/04/29 - H 5/5)

RESOLVED:

- (a) That the new Master Housing Waiting list (on file) comprising of the consolidation of various waiting lists (i.e. Build Together Master Waiting list, Swakopmund Housing Registration 2013 as well as the DRC proper register) arranged according to dates of application be approved for use in the allocation of houses / erven in future.
- (b) That all duplicate names appearing on the waiting list be removed provided that applications with the earliest dates are retained
- (c) That once the complete waiting list from NHE has been received, it be submitted to Council for consideration and be used 'zebra' style together with our Master Housing Waiting list in the allocation of houses / erven.

11.1.10 **EXPRESSION OF INTEREST TO THE INSPIRING SERVICE EXCELLENCE IN LOCAL GOVERNMENT**

(C/M 2015/04/29 - A 4/3/1/2/1)

RESOLVED:

- (a) That Council shows its commitment and support towards the project.
- (b) That the application letter be co-signed by the Mayor and the Chief Executive Officer.

11.1.11 **APPLICATION FOR NEW HANGAR LEASE**

(C/M 2015/04/29 - N 9/1)

RESOLVED:

That the allocation of a vacant hangar plot at the Swakopmund Aerodrome to Mr Ryno du Preez, be approved and that the standard lease terms shall apply.

11.1.12 **APPLICATION FOR ALLOCATION OF HANGAR PLOT 13 AT THE SWAKOPMUND AERODROME**

(C/M 2015/04/29 - N 9/1)

RESOLVED:

- (a) That the application by Mr Roux Marnitz of Messrs BV Investments 899 CC to lease Hangar plot 13 at the Swakopmund Aerodrome from Council at a rate of N\$3.52/m² for commercial usage or N\$2.75/m² for private usage, be approved.
- (b) That a standard lease agreement be entered into subject to the following.
 - (i) *The relocation of the fence north east of hangar 13 to the location as proposed by the applicant to the satisfaction of the General Manager: Engineering Services.*
 - (ii) *The wooden poles used as pillars for the existing fence be re-used but that new wire mesh be used for the construction of the fence in its new location.*
 - (iii) *All costs relating to the material and relocation of the fence be borne by Mr Roux Marnitz.*
- (c) That complainants be informed that Council takes note of their concerns but that the proposal of the applicant addresses the concerns adequately.

11.1.13 **BUILDING CONTROL COMPLICATIONS**

(C/M 2015/04/29 - A 2/2/2)

RESOLVED:

- (a) That Council approves the application of the following process to address non-compliances to the Town Planning Scheme and the Building Regulations:
 - 1) *Situation (non-compliance) is identified either by observations during inspections, or by notice from members of the public / other departments.*
 - 2) *Situation is investigated by Building Inspectorate, or Town Planning, or both, with photographic evidence. Report(s) placed on the Building File / Town Planning File for the Erf.*
 - 3) *The legal owner of the property is determined and the legal owner is notified of the non-compliance. At the same time third parties (architects / draft-persons / engineers / developers / lessee / contractors) may also be informed to ensure that the communication reaches the owner.*

The notice shall contain:

 - *Description of the non-compliance(s).*
 - *Instruction to correct the situation.*
 - *Advise may be given how to resolve the situation.*
 - *Deadline when the situation should be resolved.*
 - *Possible punitive action should the non-compliance persist (Which may include revocation of Occupation Certificate - if issued - and / or fine).*
 - 4) *If the owner complies to correct the situation, the matter is resolved.*
 - 5) *If the owner refuses to comply to correct the situation, a further notice is issued either by hand against transmittal to be signed by owner, or in registered post, containing:*
 - *Reference to previous notice.*
 - *Fine, if applicable.*
 - *Notice that the matter will be resolved by the Municipality at the cost of the owner.*

- *Deadline to respond with payment and compliance.*
 - *Possible revocation of Occupation Certificate (if issued).*
- 6) *If the owner complies by paying the fine (if imposed) and to take the necessary steps to correct the situation, the matter is resolved.*
- 7) *If the owner refuses to comply by paying the fine (if imposed), or to take the necessary steps to correct the situation, action shall be taken as identified in the Town Planning Scheme and Building Regulations, namely to remove the offending situation / structures at the cost of the owner. This may involve demolition of structures, removal of illegally used equipment, sealing off of dangerous / non-compliant areas, termination of previously afforded permissions such as trading licenses, as well as an administrative fee of 25% of the value of the cost incurred. At the same time the Occupation Certificate may be revoked.*
- 8) *On payment of the imposed fine and cost for the corrective actions by the Municipality, the matter may be considered resolved.*
- 9) *If the owner approaches a political representative the matter shall be tabled to Management Committee for resolution, with detailed report from Engineering Services.*
- 10) *On completion of the actions required by Council, which may include an audience to the owner, the resolution by Council will direct the required steps to ensure compliance to the Town Planning Scheme and Building Regulations.*
- 11) *On compliance with the directives of Council, the matter will be considered resolved.*
- 12) *If the owner elects to approach legal council, the matter shall be tabled to Management Committee for resolution, with detailed report from Engineering Services.*
- 13) *On completion of the actions required by Council, which may include an audience to the owner, and/or appointment of legal counsel on Council's behalf, the resolution by Council will direct the required steps to ensure compliance to the Town Planning Scheme and Building Regulations.*
- 14) *On compliance with the directives of Council, the matter will be considered resolved.*
- (b) That Council approves that a Policy Document pertaining to the gradual integration of Mondesa and the “DRC / Matutura” informal housing areas to meet compliance with the Town Planning Scheme and the Building Regulations be compiled by the Chief Executive Officer.
- (c) That Council approves the introduction of a Compliance Certification Policy and Regulation pertaining to the enforcement of compliance to the Town Planning Scheme and the Building Regulations prior to the possible transfer of properties, inclusive of all Rates and Taxes being paid up-to-date, with the costs charged in retrospect where non-compliances are detected.
- (d) That Council approves a grace period of 6 months after approval of the Compliance Certification Regulation by the Minister of Urban and Rural Development during which time compliance to the Town Planning Scheme and the Building Regulations will be facilitated without fines, and with specific payment of Rates and Taxes in retrospect for periods not exceeding 3 months.
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11.1.14 **APPLICATION FOR CONSENT FOR THE RELAXATION OF LATERAL BUILDING LINE ON ERF 43, VOGELSTRAND**
(C/M 2015/04/29 - VS 43)

RESOLVED:

- (a) That the application for relaxation of Lateral Building Line from 5m to 3m on Erf 43, Vogelstrand be approved.
- (b) That Mr Razavi be informed of his right to appeal (in terms of Clause 8 of the Swakopmund Town Planning Scheme) to the Minister of Urban and Rural Development, within 28 days (in respect of resolution (a) above) of this notice against Councils decision, provided that written notice of such an appeal shall be given to the Ministry, as well as Council within the said period.

11.1.15 **APPLICATION FOR PERMISSION TO OPERATE A RESIDENT OCCUPATION (ADMINISTRATIVE OFFICE)**
(C/M 2015/04/29 - E 1234)

RESOLVED:

- (a) That the following application for permission to operate an administrative office be approved:
 - *Erf 1234, Kramersdorf (Arandis Street) - Messrs R and C Technologies - Administrative Office*
 - (b) That the applicant registers with the Health Services Department and the standard Health Regulations will apply.
 - (c) That the consent use be subject to the following:
 - *That Council reserves the right, to cancel a consent use should there be valid complaints.*
 - *That the applicant must operate within the Town Planning Scheme regulations.*
 - *That consent is not transferable.*
 - *That sufficient parking will be provided on the premises.*
 - *That no on street parking will be tolerated.*
 - (d) That Ms Helga Voigts be informed of her right to appeal (in terms of Clause 8 of the Swakopmund Town Planning Scheme) to the Minister of Urban and Rural Development, within 28 days (in respect of resolution (a) above) of this notice against Councils decision, provided that written notice of such an appeal shall be given to the Ministry, as well as Council within the said period.
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11.1.16 **APPLICATION FOR PERMISSION TO OPERATE A RESIDENTIAL GUESTHOUSE**

(C/M 2015/04/29 - E 4522)

RESOLVED:

That this item be referred back and be submitted to the next Management Committee meeting.

11.1.17 **ALTERNATIVE WASTE MANAGEMENT SYSTEMS FOR EFFECTIVE MANAGEMENT OF WINDBLOWN AND ILLEGALLY DUMPED SOLID WASTE IN DRC AND MONDESA**

(C/M 2015/04/29 - M 2)

RESOLVED:

- (a) That the appointment of 10 (ten) private contractors to perform the cleaning duties in demarcated wards and according to the scope of work defined by Council from time to time at a rate set by Council be approved.
- (b) That a basic tariff be introduced in the areas where the contractors are appointed.
- (c) That the tariff be calculated on a basis of the recovery of costs for services rendered in the demarcated wards.
- (d) That the General Manager: Health Services makes budgetary provision to implement the ward cleaning system in the 2014/2015 as well as 2015/16 financial years to be applied in the DRC and Mondesa as and when the need arises.
- (e) That the two contractors currently employed on a limited contract base be appointed on a permanent base until further notice and that the appointment of contract workers in DRC be stopped.
- (f) That the residents of the DRC be provided with approved refuse containers (mobile refuse bins) and that the Health Service Department provides education to the residents on the use of the bins before the bins are delivered.
- (g) That the General Manager: Health Services develops a network of partnerships amongst interested stakeholders to assist with the control of illegal dumping.

Comment [MA1]: Any admin. Surcharge?

Comment [MA2]: Retrospective?

11.1.18 **WRITING OFF: OLD AND REDUNDANT OFFICE FURNITURE -
CORPORATE SERVICES AND HUMAN RESOURCES DEPARTMENT**
(C/M 2015/04/29 - L 2)

RESOLVED:

- (a) That the following old and redundant furniture and equipment in the Corporate Services and Human Resources Department be written off and be sold at the next public auction:

No	Description	Quantity	Office
1.	Telephone Sets(Siemens)	2	Finance department
2.	Smart cut (DAHLE)	1	Production room
3.	Microwave (Samsung)	1	Corporate Service & HR (Kitchen)

- (b) That the Chairperson of Management Committee, Chief Executive Officer and the General Manager: Finance determines the upset prices for the above.

11.1.19 **APPLICATION FOR PERMISSION TO OPERATE A PLACE OF
INSTRUCTION ON ERF 1275 KRAMERSDORF - SON SHINE PRE-
SCHOOL**
(C/M 2015/04/29 - E 1275)

RESOLVED:

- (a) That the following application for permission to operate a “Place of Instruction” be approved:
- Erf 1275, Kramersdorf, (20 Ebony Street) - Son Shine Kids Pre-School
- (b) That the applicant registers with the Health Services Department and the standard Health Regulations will apply.
- (c) That the consent use be subject to the following:
- That Council reserves the right, to cancel a consent use should there be valid complaints.
 - That the applicant must operate within the Town Planning Scheme regulations.
 - That consent is not transferable.
 - That sufficient parking will be provided on the premises.
 - That no on street parking will be tolerated.
- (d) That Mr and Mrs Venter be informed of their right to object (in terms of Clause 8 of the Swakopmund Town Planning Scheme) to the Minister of Urban and Rural Development, within 28 days of this notice against Council’s decision, provided that written notice of such an appeal shall be given to the Ministry, as well as the Council within the said period.

11.1.20 **REQUEST TO TRANSFER FUNDS TO REPLACE A HEAT EXCHANGER AND HOT WATER STORAGE TANK AT THE MUNICIPAL REST CAMP**

(C/M 2015/04/29 - N 7/2/3/1)

RESOLVED:

- (a) That permission be granted to the General Manager: Community Development Services to utilize the amount of N\$449 675.00 from the Tourism Maintenance Fund to replace the broken heat exchanger and the water storage tank at the Bungalows.
- (b) That the General Manager: Finance transfers the amount of N\$449 675.00 from the Tourism Management Fund to Vote 6005 330 302 00 in order to carry out the repair work envisaged under point (a) above.

11.1.21 **EXPRESSION OF INTEREST FROM FINANCIAL INSTITUTIONS FOR THE FINANCING OF BLOCKS 21**

(C/M 2015/04/29 - G 3/9)

RESOLVED:

That this item be withdrawn from the Agenda and that the resolution under item 11.1.26 of this minutes apply.

11.1.22 **PROPOSED CHANGES TO CURRENT AGREEMENT WITH MESSRS BCX**

(C/M 2015/04/29 - D 12/1)

RESOLVED:

- (a) That Council extends the agreement with Messrs Business Connexion Namibia (Pty) Ltd for a further period of five (5) years in terms of Clause 4.1 of the agreement on the same terms and conditions.
 - (b) That Messrs Business Connexion Namibia (Pty) Ltd provides Council with a replacement system for the existing e-Venus system to SOLAR, the replacement of the current Orbit documentation system with the SharePoint documentation management solutions, the current PayDay system with the ResourceLink HR and Payroll system and all related hardware.
 - (c) That the additional monthly amount of N\$162 953.89 for the updated systems and related hardware, be approved.
 - (d) That Messrs Business Connexion Namibia (Pty) Ltd ensures that the service to the public continues uninterrupted during the transfer.
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11.1.23 **PERMANENT CLOSURE: STREETS/ROAD RESERVES FOR
BLOCK 11, SWAKOPMUND**

(C/M 2015/04/29 - G /3/3/2/20)

RESOLVED:

- (a) That the closure of the streets indicated on the plan (on file) be approved.
- (b) That the developer be informed to complete all the statutory processes in order to exercise his intentions before the wall is constructed.
- (c) That the erection of the controlled access point be subject to the following conditions:
 - (i) That the road be accessible to the public and Municipality 24 hours a day;
 - (ii) That the entrance be manned 24 hours a day;
 - (iii) That all changes be to the approval of the Town Engineer;
- (d) That the services infrastructure be altered to suit the requirements of the General Manager: Engineering Services, inclusive of water, purified effluent, sewage and electrical reticulation and streets.
- (e) That the street portions being closed be rehabilitated to become Public Open Spaces on both sides of the proposed fence wall and that the developer develops the Public Open Spaces as gardens with xerophytes and rocks to acceptance by the General Manager: Engineering Services.
- (f) That all cost incurred from the proposed intentions be for the developers account.

11.1.24 **OBJECTION AGAINST THE CLOSED BID SALES OF 103 SINGLE
RESIDENTIAL ERVEN LOCATED IN EXTENSION 3, TAMARISKIA**

(C/M 2015/04/29 - G 3/9/2)

RESOLVED:

- (a) That the request to have a comparison done between the names appearing on the database for registered bidders of the Closed Bid Sales in 2013 for residential erven in the PDA Area in Mondesa and those appearing on the list of names given to Council by the Land Activists on 27 February 2015 to determine how many names appear on both lists, be approved.
 - (b) That the information on Council's database of the names of persons whom registered for the 2013 Closed Bids of the PDA erven in Mondesa be made available to Messrs Land Activists for the purpose in (a) above.
 - (c) That Council takes note that the registration of bidders commenced on 26 March 2015 and will continue until 28 April 2015 as advertised in Notice 10/2015.
 - (d) That the Closed Bid Sales of 05 June 2015 and 3 July 2015 be held subject to Ministerial consideration of any objections to the proposed sales.
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11.1.25 **AMENDMENT OF GUIDELINES FOR STREET AND PLACE NAMING COMMITTEE**

(C/M 2015/04/29 - N 8/1/2)

RESOLVED:

That the amendment of the Guidelines for the Street and Place Naming Committee be condoned and approved as follows:

- (i) *That in the case of not having a quorum, the members present shall postpone the meeting for 30 minutes.*
 - (ii) *That after the 30 minutes expired; the members present shall constitute a quorum.*
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11.1.26 **FINANCIAL AGREEMENT WITH FIRST NATIONAL BANK TO DEVELOP BLOCK 21 & 22**

(C/M 2015/04/29 - G 3/9)

RESOLVED:

- (a) That Council approves the loan amount of N\$47 015 988,15 for the provision of services for Block 21 and 22, Matutura in order to complete the proposed tender project.
 - (b) That the Chief Executive Officer reports back on the final amount spent on services for Block 21 and 22, Matutura once the tender has been awarded.
-

11.1.27 **FUTURE OF THE MASS HOUSING FUND**

(C/M 2015/04/29 - D 1, H 5/5)

RESOLVED:

- (a) That the opening of the Mass Housing Fund bank account be approved.
 - (b) That the following be the signatories:
 - *Chief Executive Officer*
 - *General Manager: Finance / Manager Finance*
 - *General Manager: Corporate Services & HR / Manager: Corporate Services*
 - (c) That the costs for the creation of the new Billing System for Mass Housing Fund be funded from the interest which is being earned from the invested fund.
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11.1.28 **ALLOCATION OF 57 HOUSES AT EXTENSION 9, MONDESA: BENEFICIARIES CLOSE TO RETIREMENT AND THE COST OF LAND**

(C/M 29/04/2015 - H 5/3)

RESOLVED:

- (a) That permission be granted to all the beneficiaries who are over the age of 50 years to make use of co-applicants in signing the relevant loan documents in line with the Build Together Guidelines.
 - (b) That the cost of erven at Extension 9, Mondesa not be included in the loan amount of the beneficiaries.
 - (c) That the cost of erven at Extension 9, Mondesa be defrayed from the Mass Housing Funds allocated to Council.
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11.1.29 **APPROVAL OF THE NAMING ADVISORY COMMITTEE MINUTES**
(C/M 29/04/2015 - N 8/1/2)

RECOMMENDED:

- (a) That Council approves the proposed street names of various Extensions submitted by the Naming Advisory Committee meeting.
 - (b) That the Engineering Services Department proceed with the placing of the approved street names as a matter of urgency.
 - (c) That streets continuing from / to adjacent blocks be identified correctly to prevent duplication of street names.
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The meeting adjourned **20:10**

Minutes confirmed on: **28 May 2015**

Juuso Kambueshe
CHAIRPERSON

E U W Demasius
CHIEF EXECUTIVE OFFICER

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